

Probation Form 22 (REV. MAR 05)		United States District Court Federal Probation System TRANSFER OF JURISDICTION		DOCKET NUMBER (Transferred) 5:99-CR-162-1	
NAME AND ADDRESS OF OFFENDER Joseph L. Johnson, III		DISTRICT EASTERN NORTH CAROLINA		DIVISION	
		NAME OF SENTENCING JUDGE The Honorable James C. Fox			
		DATES OF SUPERVISION →		FROM September 14, 2007	
		TO September 13, 2012			
OFFENSE Felony Robbery, Under 55.ACFR-1400.F					
PART 1 - ORDER TRANSFERRING JURISDICTION					
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA					
JUDGE JOHN W. DARRAH MAGISTRATE JUDGE MASCO					
<p>IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the offender named above be transferred with the records of this court to the United States District Court for the Northern District of Illinois upon that court's order of acceptance of jurisdiction. This court hereby expressly consents that the period of supervision may be changed by the district court to which this transfer is made without further inquiry of this court.*</p>					
<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="font-size: 1.2em; margin-top: 10px;">MAY 06 2008</div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 20px;"> <div style="text-align: center;"> <u>1/23/08</u> Date </div> <div style="text-align: center;"> MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT </div> <div style="text-align: center;"> Senior U.S. District Judge </div> </div>					
* This sentence may be deleted in the discretion of the court.					
PART 2 ORDER ACCEPTING JURISDICTION					
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS					
<p>IT IS HEREBY ORDERED that jurisdiction over the above-named offender be accepted and assumed by this court from and after the entry of this order.</p>					
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> MAR 26 2008 Effective date </div> <div style="text-align: center;"> A TRUE COPY-ATTEST MICHAEL W. DOBBINS, CLERK Deputy Clerk U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS DATE: MAR 31 2008 </div> <div style="text-align: center;"> United States District Judge </div> </div>					

I certify the foregoing to be a true and correct copy of the original.
 Dennis P. Iavarone, Clerk
 United States District Court
 Eastern District of North Carolina
 By
 Deputy Clerk



MICHAEL W. DOBBINS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

312-435-5698

March 31, 2008

Eastern District of North Carolina
Mr. Dennis P. Iavarone, Clerk
United States District Court
Post Office Box 25670
Raleigh, NC 27611

Dear Clerk:

Re: 5:99-CR-162-1 USA v. Joseph L. Johnson, III Judge James C. Fox

Our Case Number: 08 CR 254 - Northern District of Illinois

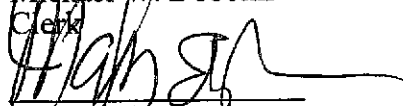
Enclosed is a certified copy of the Probation Form 22, Transfer of Jurisdiction, regarding, which has been accepted and assumed by this Court in the Northern District of Illinois, Eastern Division.

Please forward a certified copy of the indictment/information, judgment and docket along with the enclosed copy of this letter to the United States District Court at the above address. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Michael W. Dobbins
Clerk

by:


Marsha E. Glenn
Deputy Clerk

Enclosure



Phone (252) 830-6009
Fax (252) 830-2793

**United States District Court
Office of the Clerk
201 S. Evans Street
Greenville, NC 27858**

Dennis Iavarone,
Clerk of Court

April 28, 2008

FILED

MAY 06 2008

Michael Dobbins
Clerk, U.S. District Court
219 S. Dearborn Street
Chicago, IL 60604

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

**RE: JOHNSON, Joseph L. III
Case No. 5:99-CR-162-1F- EDNC, 08-CR-254- NDIL
TRANSFER OF JURISDICTION**

Dear Sir:

Pursuant to the Transfer of Jurisdiction filed April 4, 2008, this case is being transferred to your district. Enclosed are certified copies of the indictment, judgment, docket sheet, and payment ledger.

Should you require any further documents, please feel free to contact our office. Thank you for your assistance in this matter of mutual concern.

Sincerely,

Dennis Iavarone
Clerk, U.S. District Court

Shelia Foell
Deputy Clerk

enclosures
/sdf

CLOSED

**U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)
CRIMINAL DOCKET FOR CASE #: 5:99-cr-00162-F All Defendants
Internal Use Only**

Case title: USA v. Johnson
Magistrate judge case number: 5:99-mj-00791

Date Filed: 10/08/1999
Date Terminated: 04/17/2000

Assigned to: Judge James C. Fox

Defendant (1)

Joseph L. Johnson, III
TERMINATED: 04/17/2000

represented by **James A. Martin**
201 South Evans Street
Suite 153
Greenville, NC 27858
(252) 830-2620
Fax: 830-2232
Email: tony_martin@fd.org
TERMINATED: 04/17/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

18:924 (c)(1)(A)(ii) USE OF A
FIREARM DURING A CRIME OF
VIOLENCE

(3)

18:2111 ROBBERY

(4)

Disposition

84 mos. impr. consec. - 5 yrs. sup.
release - \$100 SA - \$1,819.14
restitution

24 mos. impr - 3 yrs. Sup. release conur
- \$100 SA -

Highest Offense Level (Opening)

Felony

Terminated Counts

18:13 ASSIMILATED NCGS 14-
113.13(a)(1)

(1)

18:1028(a)(4) POSSESSION OF AN

I certify the foregoing to be a true and correct
copy of the original.
Dennis P. Iavarone, Clerk
United States District Court
Eastern District of North Carolina

Disposition By  Deputy Clerk

Dismissed at Sen.

IDENTIFICATION DOCUMENT
WITH INTENT TO DEFRAUD THE
GOVERNMENT
(2)

Dismissed at Sen.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

Date Filed	#	Docket Text
09/15/1999	1	COMPLAINT as to Joseph L. Johnson III [5:99-m -791] (eb) (Entered: 09/17/1999)
09/15/1999	2	Arrest WARRANT issued as to Joseph L. Johnson III [5:99-m -791] (eb) (Entered: 09/17/1999)
09/15/1999		ARREST of Joseph L. Johnson III [5:99-m -791] (eb) (Entered: 09/27/1999)
09/15/1999		Initial appearance as to Joseph L. Johnson III held in Raleigh. Proceedings recorded. Deft. present without counsel. Government represented by majory Charles Hayes. Deft. advised of nature of proceedings. Government moves for pre-trial detention. Deft. advised of rights, charges, max. punishment. Deft. request FPD, FPD ordered. Court orders deft. remanded to cudtody of USM. Preliminary Examination set for 2:30 9/21/99 for Joseph L. Johnson III; Detention Hearing set for 2:30 9/21/99 for Joseph L. Johnson III before USMJ Alexander B. Denson. Presiding Judge: USMJ DENSON [5:99-m -791] (eb) (Entered: 09/27/1999)
09/15/1999		MOTION in open court by USA as to Joseph L. Johnson III for detention pending trial [5:99-m -791] (eb) (Entered: 09/27/1999)
09/15/1999		CJA 23 FINANCIAL AFFIDAVIT by Joseph L. Johnson III [5:99-m -791] (eb) (Entered: 09/27/1999)
09/15/1999	3	ORDER Appointing Federal Public Defender for Joseph L. Johnson III; cpys distributed [5:99-m -791] (eb) (Entered: 09/27/1999)
09/15/1999	4	ORDER OF TEMPORARY DETENTION as to Joseph L. Johnson III (Signed by USMJ DENSON) ; cpys distributed [5:99-m -791] (eb) (Entered: 09/27/1999)

09/21/1999	5	NOTICE of Appearance for Joseph L. Johnson III by Attorney James A. Martin [5:99-m -791] (eb) (Entered: 09/21/1999)
09/21/1999	6	REQUEST FOR DISCOVERY AND FOR DISCLOSURE OF ALL EXCULPATORY EVIDENCE AND INCORPORATED STATEMENT OF AUTHORITY by Joseph L. Johnson III [5:99-m -791] (eb) (Entered: 09/21/1999)
09/21/1999		Detention hearing as to Joseph L. Johnson III held in Raleigh before USMJ Wallace W. Dixon. Proceedings recorded, deft present with counsel, Tony Martin. Govt heard by proffer, Deft heard by proffer. Court continues hrg. until 9/24/99 at 11:30 [5:99-m -791] (fdc) (Entered: 09/22/1999)
09/21/1999		Deadline updated as to Joseph L. Johnson III, reset Detention Hearing before USMJ Wallace W. Dixon for 11:30 9/24/99 for Joseph L. Johnson III [5:99-m -791] (fdc) (Entered: 09/22/1999)
09/24/1999		Detention hearing as to Joseph L. Johnson III held in Raleigh before USMJ Wallace W. Dixon. Proceedings recorded. Deft. present with counsel, Tony Martin. Government represented by SAUSA Cpt. Deon Greene. Government calls one witness, Timothy Gannon, Special Agent, FBI. Defense presents no argument. Court orders deft. remanded to custody of USM [5:99-m -791] (eb) (Entered: 09/27/1999)
09/24/1999		ORAL ORDER as to Joseph L. Johnson III granting [0-0] oral motion for detention pending trial as to Joseph L. Johnson (1) (Entered by USMJ DIXON) [5:99-m -791] (eb) (Entered: 09/27/1999)
09/27/1999	7	ORDER as to Joseph L. Johnson III (follows oral order entered 9/24/99) (Signed by USMJ DIXON OB Ref: MISC. OB # 14, P. 45); cpys distributed [5:99-m -791] (eb) (Entered: 09/27/1999)
09/30/1999	20	arrest WARRANT Returned Executed as to Joseph L. Johnson III on 9/15/99 - on complaint 5:99m791 (magistrate section did not docket - received criminal section 3/30/00) (sr) (Entered: 03/30/2000)
10/08/1999	8	INDICTMENT as to Joseph L. Johnson (1) count(s) 1, 2, 3, 4 1cc: USA, USPO, PTS, USM, Wilm. Div., Judge Fox, FPD (Preliminary Examination cancelled.) (fs) (Entered: 10/13/1999)
10/08/1999		Request for Warrant as to Joseph L. Johnson III (fs) (Entered: 10/13/1999)
10/13/1999	9	Arrest WARRANT issued as to Joseph L. Johnson III orig. USM 1cc: USA (fs) (Entered: 10/13/1999)
10/14/1999		Deadline updated as to Joseph L. Johnson III, set Arraignment before Judge James C. Fox for 9:00 12/20/99 for Joseph L. Johnson III , set Jury trial before Judge James C. Fox for 9:00 12/20/99 in Wilm. for Joseph L. Johnson III (fs) (Entered: 10/14/1999)
10/15/1999		Deadline updated as to Joseph L. Johnson III, reset Arraignment before Judge James C. Fox for 9:00 12/13/99 for for Wilm. for Joseph L.

		Johnson III , reset Jury trial before Judge James C. Fox for 9:00 12/13/99 for Joseph L. Johnson III (sr) (Entered: 10/15/1999)
10/15/1999		Issued NOTICE TO APPEAR as to Joseph L. Johnson III: set Initial Appearance before USMJ Alexander B. Denson for 2:30 10/19/99 for Joseph L. Johnson III (fdc) (Entered: 10/18/1999)
10/18/1999		Pre-trial Scheduling Report as to Joseph L. Johnson III to Magistrate Judge Denson 1cc: Fox Team (fs) (Entered: 10/18/1999)
10/18/1999	<u>10</u>	PRETRIAL SCHEDULING ORDER as to Joseph L. Johnson III setting deadlines: Attorney Conference by 4:30 10/28/99 for Joseph L. Johnson III ; Pretrial Motion Filing due by 4:30 11/8/99 for Joseph L. Johnson III ; Response to Pretrial Motions due by 4:30 11/18/99 for Joseph L. Johnson III (Signed by Judge Denson OB Ref: 20, p. 90) 1cc: USA, FPD, Judge Fox (fs) (Entered: 10/18/1999)
10/18/1999		Atty Tony Martin after consultation with client, Joseph L. Johnson III, waives initial appearance on indictment. Written waiver to follow. (fdc) (Entered: 10/21/1999)
10/20/1999	<u>11</u>	Document Filed by Joseph L. Johnson III Titled: Notice re: I.A. on 10/19 - w/Information showing I.A. waived on 10/18/99 by Atty. T. Martin (sr) (Entered: 10/20/1999)
10/21/1999	<u>12</u>	Document Filed by Joseph L. Johnson III as to Joseph L. Johnson III Titled: WAIVER OF PRELIMINARY EXAMINATION OR HEARING re: I.A. on indictment waived as appeared on Complaint - (sr) (Entered: 10/25/1999)
10/25/1999	<u>13</u>	WAIVER OF INITIAL APPEARANCE on Indictment by Joseph L. Johnson III (fs) (Entered: 10/26/1999)
10/29/1999	<u>14</u>	Arrest WARRANT Returned Unexecuted as to Joseph L. Johnson III subject in custody on warrant based on criminal complaint Karen Thomas USMS/EDNC (fs) (Entered: 11/01/1999)
11/23/1999		Issued NOTICE TO APPEAR as to Joseph L. Johnson III: set for arrgn and trial on 12/13/99 at 9 AM in Wilm. before Judge Fox - 1c: USa and Mr. Martin (sr) (Entered: 11/24/1999)
12/01/1999	<u>15</u>	MOTION by Joseph L. Johnson III to continue arrgn and trial from 12/13 w/cs - 1c: Judge Fox w/Prop Order (sr) (Entered: 12/01/1999)
12/01/1999		Motion submission as to Joseph L. Johnson III: [15-1] motion to continue arrgn and trial from 12/13 submitted as to Joseph L. Johnson (1) (sr) (Entered: 12/01/1999)
12/06/1999	<u>16</u>	ORDER as to Joseph L. Johnson III granting [15-1] motion to continue arrgn and trial from 12/13 as to Joseph L. Johnson (1), reset Arraignment before Judge James C. Fox for 9:00 1/24/00 at Wilm. for Joseph L. Johnson III , reset Jury trial before Judge James C. Fox for 9:00 1/24/00 for Joseph L. Johnson III (Signed by Judge Fox OB Ref: #21,P. 55) - 1c: faxed to FPD and USA, 1c: USPO, PTS, USMS(R&W) (sr) (Entered: 12/06/1999)

		12/07/1999)
12/29/1999		Issued NOTICE TO APPEAR as to Joseph L. Johnson III: set for arrgn and trial on 1/24/00 at 9 AM in Wilm. before Judge Fox - 1c: USa and Mr. Martin (sr) (Entered: 12/29/1999)
01/05/2000		Joseph L. Johnson III - received copy of letters from deft. to Judge Fox (1) re: asking Mr. Martin withdraw and (2) viol. of 5th amd. - received response by Judge Fox to Letters - deft's address is: Robeson Co. Jail , 122 Legion Rd. Lumberton, N.C. 28358 (sr) (Entered: 01/05/2000)
01/20/2000	<u>17</u>	PROPOSED VOIR DIRE QUESTIONS by USA as to Joseph L. Johnson III - 1c: Judge Fox (sr) (Entered: 01/20/2000)
01/20/2000	<u>18</u>	PROPOSED JURY INSTRUCTIONS by USA as to Joseph L. Johnson III - 1c: Judge Fox (sr) (Entered: 01/20/2000)
01/24/2000		Arraignment as to Joseph L. Johnson III held at Wilm. before Judge James C. Fox . Court Reporter: Stacy Schwinn Joseph L. Johnson (1) count(s) 1, 2, 3, 4 - S. Rodgers Dep. Clerk (sr) (Entered: 01/26/2000)
01/24/2000		PLEA entered by Joseph L. Johnson III. Court conditionally accepts plea. Guilty: Joseph L. Johnson (1) count(s) 3, 4 (Terminated motions -) (sr) (Entered: 01/26/2000)
01/24/2000		MOTION in open court by USA as to Joseph L. Johnson III to dismiss Cts. 1 & 2 at sen. (sr) (Entered: 01/26/2000)
01/24/2000	<u>19</u>	MEMORANDUM of Plea Agreement as to Joseph L. Johnson III Conditionally Approved - 1c: USA, USPO, PTS, USMS, Judge Fox and Mr. Martin (sr) (Entered: 01/26/2000)
01/24/2000		Deadline updated as to Joseph L. Johnson III, set Sentencing before Judge James C. Fox for 9:00 4/17/00 for Wilm. for Joseph L. Johnson III (sr) (Entered: 01/26/2000)
03/29/2000		Issued NOTICE TO APPEAR as to Joseph L. Johnson III: set for sentencing on 4/17/00 at 9 AM in Wilm. before Judge Fox - 1c: Capt. Green and Mr. Martin (sr) (Entered: 03/30/2000)
04/06/2000	<u>21</u>	MOTION by Joseph L. Johnson III for downward departure at sentencing 1cc: Judge Fox (fs) (Entered: 04/06/2000)
04/17/2000		Sentencing held at Wilm. before Judge James C. Fox . Court Reporter: Stacy Schwinn Joseph L. Johnson (1) count(s) 3, 4 - S. Rodgers Dep. Clerk - (sr) (Entered: 04/19/2000)
04/17/2000		ORAL ORDER as to Joseph L. Johnson III denying [21-1] motion for downward departure at sentencing as to Joseph L. Johnson (1), granting [0-0] oral motion to dismiss Cts. 1 & 2 at sen. as to Joseph L. Johnson (1) (Entered by Judge Fox) (sr) (Entered: 04/19/2000)
04/17/2000		DISMISSAL of Count(s) on Government Motion as to Joseph L. Johnson III Counts Dismissed: Joseph L. Johnson (1) count(s) 1, 2 (sr) (Entered: 04/19/2000)

04/17/2000	<u>22</u>	JUDGMENT Joseph L. Johnson (1) count(s) 3. 84 mos. impr. consec. - 5 yrs. sup. release - \$100 SA - \$1,819.14 restitution , Joseph L. Johnson (1) count(s) 4. 24 mos. impr - 3 yrs. Sup. release conur - \$100 SA - Signed by Judge Fox OB Ref: #22, P. 146 PSI Return Deadline 5/17/00 for Joseph L. Johnson III ; advised of appeal rights - 1c; USPO, PTS, Judge Fox, F.Sec., Mr. Martin, 2c: USA and 3c: USMS (sr) (Entered: 04/21/2000)
04/17/2000		(Court only) **Case closed as to Joseph L. Johnson III (all defendants). Termination of party Joseph L. Johnson (sr) (Entered: 04/21/2000)
05/18/2000		PSI as to Joseph L. Johnson III - Returned to USPO (sr) (Entered: 05/18/2000)
07/19/2000	<u>23</u>	MOTION by USA as to Joseph L. Johnson III to destroy weapon 1cc: Judge Fox w/prop Order (fs) (Entered: 07/20/2000)
07/24/2000	<u>24</u>	ORDER that the weapon be destroyed with the usual procedures of the FBI as to Joseph L. Johnson III granting [23-1] motion to destroy weapon as to Joseph L. Johnson (1) (Signed by Judge Fox OB Ref: 23, p. 190) 1cc: FPD 2cc: USA, USM (fs) (Entered: 07/24/2000)
04/04/2008	● <u>25</u>	Jurisdiction Transferred to the Northern District of IL as to Joseph L. Johnson, III. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment, docket sheet & payment ledger. (Attachments: # <u>1</u> Letter to ND/IL Clerk) (Deputy Clerk - SDF) (Entered: 04/28/2008)

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:99 CR 162-1F

FILED

OCT - 8 1999

DAVID W. DANIEL, CLERK
US DISTRICT COURT
E. DIST. N. CAROLINA

UNITED STATES OF AMERICA)
)
vs.) I N D I C T M E N T
)
JOSEPH L. JOHNSON III)

The Grand Jury charges that:

COUNT ONE

On or about August 2, 1999, in the Eastern District of North Carolina, the defendant, JOSEPH L. JOHNSON III, with intent to defraud another person, did use for the purpose of obtaining money a financial transaction card which was received with knowledge that it was obtained in violation of North Carolina General Statute Section 14-113.9, in violation of North Carolina General Statute Section 14-113.13(a)(1), as assimilated by Title 18, United States Code, Section 13.

COUNT TWO

On or about August 7, 1999, in the Eastern District of North Carolina, the defendant, JOSEPH L. JOHNSON III, did knowingly possess an identification document with the intent such document be used to defraud the United States, in violation of Title 18, United States Code, Section 1028(a)(4).

ans
~~code, Section 641.~~

COUNT THREE

On or about September 15, 1999, in the Eastern District of North Carolina, the defendant, JOSEPH L. JOHNSON III, did knowingly use, carry, and brandish a firearm during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, robbery within the special maritime and territorial jurisdiction of the United States, namely the Pope Air Force Base, in violation of Title 18, United States Code, Section 2111; all in violation of Title 18, United States Code, 924(c) (1) (A) (ii).

COUNT FOUR

On or about September 15, 1999, in the Eastern District of North Carolina, the defendant, JOSEPH L. JOHNSON III, at a place within the special maritime and territorial jurisdiction of the United States, namely the Pope Air Force Base, did by force and violence, and by intimidation, willfully take from the person or presence of another a thing of value, in violation of Title 18, United States Code, Section 2111.

A TRUE BILL

Janice McKenzie Cole
JANICE MCKENZIE COLE
United States Attorney

I certify the foregoing to be a true and correct copy of the original.
Dennis P. Iavarone, Clerk
United States District Court,
Eastern District of North Carolina
Dennis P. Iavarone
By Deputy Clerk

United States District Court

Eastern District of North Carolina - Western Division

UNITED STATES OF AMERICA

v.

Joseph L. Johnson, III

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 5:99CR00162-001

James A. Martin

Defendant's Attorney

THE DEFENDANT:☒ pleaded guilty to count(s) 3 & 4☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.*C.O.B.#22, P. 146***Title & Section****Nature of Offense****Date Offense
Concluded****Count
Number(s)**

18 U.S.C. § 924 (c)(1)(A)(ii)

use a firearm during and in relation to a crime of violence

09/15/1999

3

18 U.S.C. § 2111

robbery

09/15/1999

4

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☒ Count(s) 1 and 2 are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

04/17/2000

Date of Imposition of Judgment

Signature of Judicial Officer

JAMES C. FOX

UNITED STATES DISTRICT JUDGE

Name & Title of Judicial Officer

act

04/17/00

Date

United States District Court
Eastern District of North Carolina

By

Deputy Clerk

421
10-0500
PT
ES
For
Council
20-1254
20-1254
20-1254

22

DEFENDANT: Joseph L. Johnson, III

CASE NUMBER: 5:99CR00162-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 108 month(s).

Ct. 3 - 84 mos. consec.

Ct. 4 - 24 mos.

☒ The court makes the following recommendations to the Bureau of Prisons:

The court recommends that the defendant be allowed to serve his sentence at FCI-Butner, N.C. and receive vocational training and be given an opportunity to obtain his GED.

☒ The defendant is remanded to the custody of the United States Marshal.☐ The defendant shall surrender to the United States Marshal for this district:☐ at _____ a.m./p.m. on _____.☐ as notified by the United States Marshal.☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:☐ before 2 p.m. on _____.☐ as notified by the United States Marshal.☐ as notified by the Probation or Pretrial Services Office.**RETURN**

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

DEFENDANT: Joseph L. Johnson, III

CASE NUMBER: 5:99CR00162-001

SUPERVISED RELEASEUpon release from imprisonment, the defendant shall be on supervised release for a term of 5 year(s).

Ct. 3 - 5 yrs.

Ct. 4 - 3 yrs. concurrent

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

See Special Conditions of Supervision - Page 4

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: Joseph L. Johnson, III
CASE NUMBER: 5:99CR00162-001

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.

The defendant shall provide the probation office with access to any requested financial information.

The defendant shall consent to a warrantless search by a United States probation officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

The defendant shall abstain from the use of alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

The defendant shall not go on or enter the Fort Bragg Military Reservation or Pope Air Force Base during the probationary period.

The defendant shall make restitution to First Citizens Bank, 41571 Reilly Rd., Fort Bragg, N.C. 28307 Attn: Branch Manager, in the amount of \$1,819.14 at the rate of at least \$50 per month commencing 30 days from his discharge from the U.S. Bureau of Prisons, and continuing until the full amount of restitution is satisfied.

DEFENDANT: Joseph L. Johnson, III

CASE NUMBER: 5:99CR00162-001

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 200.00	\$	\$ 1,819.14

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ _____

FINE

The above fine includes costs of incarceration and/or supervision in the amount of \$ _____.

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

RESTITUTION

- ☐ The determination of restitution is deferred in a case brought under Chapters 109A, 110, 110A and 113A of Title 18 for offenses committed on or after 09/13/1994, until _____. An Amended Judgment in a Criminal Case will be entered after such determination.

- ☒ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>** Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
First Citizens Bank	\$1,819.14	\$1,819.14	

Totals: \$ 1,819.14 \$ 1,819.14

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994.

DEFENDANT: Joseph L. Johnson, III

CASE NUMBER: 5:99CR00162-001

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☒ in full immediately; or
- B ☐ \$ _____ immediately, balance due (in accordance with C, D, or E); or
- C ☐ not later than _____; or
- D ☐ in installments to commence _____ day(s) after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation officer shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or
- E ☐ in _____ (e.g. equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ year(s) to commence _____ day(s) after the date of this judgment.

The defendant will be credited for all payments previously made toward any criminal monetary penalties imposed.

Special instructions regarding the payment of criminal monetary penalties:

See special conditions of supervised release re: payment schedule for restitution ordered.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the Clerk, U.S. District Court, Attn: Financial Unit, Post Office Box 25670, Raleigh, NC 27611, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.